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United States Courts for the Ninth Circuit

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NEWS RELEASE

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Judges Appointed, Reappointed to Bankruptcy Appellate Panel

SAN FRANCISCO – Chief Bankruptcy Judge Frank L. Kurtz of the United States Bankruptcy Court for the Eastern District of Washington has been appointed to the Ninth Circuit Bankruptcy Appellate Panel, which hears appeals of decisions made by federal bankruptcy courts in the western states.

The appointment was announced today by Chief Judge Alex Kozinski, chair of the Judicial Council of the Ninth Circuit, which is responsible for selecting judges to serve on the BAP.

Judge Kozinski also announced that the council has extended term of a current BAP member, Bankruptcy Judge Randall L. Dunn of the U.S. Bankruptcy Court for the District of Oregon.

Judge Kurtz, 67, who has his chambers in Yakima, is scheduled to begin his seven-year term on the BAP on July 10, 2013. He will succeed U.S. Bankruptcy Judge Bruce A. Markell of Nevada, who will retire from the bench on July 10. Judge Dunn was appointed to a seven-year term on the BAP in 2006. His reappointment is for a term of three years, effective July 30, 2013.

Judge Kurtz was appointed to the U.S. Bankruptcy Court for the Eastern District of Washington in 2005 and elevated to chief judge in 2007. Prior to coming onto the federal bench, Judge Kurtz had served as a judge of the Washington State Court of Appeals since 1996. While a state court judge, he served on the appeals court's Executive Committee and Board for Judicial Administration, and chaired the Washington State Judges Ethics Advisory Committee. Judge Kurtz engaged in private practice with the law firm of Kurtz, Hurley, Lara and Adams in Yakima from 1979 to 1996.

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Born in Omaha, Nebraska, Judge Kurtz received a B.A. in history in 1968 from Creighton University in Nebraska and his J.D. from Gonzaga University School of Law in 1974. As a lawyer, he served on the Executive Committee of the Creditor/Debtor Section of the Washington State Bar Association. He also participated in the establishment of the Northwest Bankruptcy Institute, a joint enterprise of the Washington and Oregon state bar associations, and was a founding director of the Bankruptcy Bar Association for the Eastern District of Washington and served as its first co-chair.

Judge Dunn, 63, was appointed to a seven-year term on the BAP in 2006. His term was extended for three years, effective July 30, 2013. Judge Dunn has served on the U.S. Bankruptcy Court for the District of Oregon since 1998. He was previously chairman of the Ninth Circuit Bankruptcy Judges Education Committee.

A native of Gary, Indiana, Judge Dunn earned a B.A. with honors from Northwestern University in 1972 and a J.D. in 1975 from Stanford Law School, where he was articles editor of the Stanford Law Review and a member of the Moot Court Board.

Judge Dunn began his legal career in 1975 as an associate with the law firm of Berman and Giauque in Salt Lake City. In 1977, he joined the law firm of Copeland, Landye, Bennett and Wolf in Portland, Ore. He later became a partner and managing partner of the firm.

The BAP, which is based in the Richard H. Chambers U.S. Court of Appeals Building in Pasadena, California, handles 49-60 percent of all appeals of decisions reached by bankruptcy courts throughout the Ninth Circuit (district courts hear the remainder).

The BAP was established in 1979 by the Judicial Council of the Ninth Circuit as an alternative forum for hearing bankruptcy appeals. Since then, it has disposed of more than 15,000 cases, including more than 5,000 decided on the merits. New appeals numbered 1,015 in fiscal year 2012.

BAP judges serve a term of seven years and are eligible for a 3-year extension. Other bankruptcy judges from around the circuit also serve on appellate panels on a pro tem basis.

The Ninth Circuit was the first federal circuit to establish a bankruptcy appellate panel. Other circuits with bankruptcy appellate panels are the First, Sixth, Eighth and Tenth circuits. For more information, visit: <http://www.ca9.uscourts.gov/bap/>.

The U.S. Courts for the Ninth Circuit consists of the U.S. Court of Appeals for the Ninth Circuit and the federal district and bankruptcy courts in 15 judicial districts serving nine western states and two Pacific Island jurisdictions.